

REMARKS

Claims 1-9 were presented for examination in the present application. The instant amendment cancels claim 2 without prejudice. Thus, claims 1 and 3-9 are presented for consideration upon entry of the instant amendment.

Claim 3 has been amended to obviate the objection. Applicants submit that this amendment merely makes explicit what had been implicit in the claim. Claim 1 has been amended to include elements of claim 2. Applicants submit that the amendment to claim 1 obviates the objection to claims 5 and 8. Accordingly, reconsideration and withdrawal of the objections to the claims are respectfully requested.

Claims 1, 3, 5, 6, and 9 were rejected under 35 U.S.C. §102 over U.S. Patent No. 6,203,759 to Pelc et al. (Pelc). Claim 1 has been amended to include elements of claim 2, rendering this rejection moot. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Claims 2, 4, 7, and 8 were rejected under 35 U.S.C. §103 over Pelc.

Applicants respectfully traverse this rejection.

Independent claim 1 now includes the elements of claim 2 and thus recites that “a frequency of the vibrations is varied during said cleaning step (emphasis added)”.

The Office Action acknowledges that Pelc does not expressly disclose varying the frequency of the vibrations during the cleaning step. See page 3, lines 15-17 of the Office Action dated September 5, 2007.

Rather, the Office Action asserts that Pelc discloses dispensing a liquid containing spheres of various sizes and that one of ordinary skill in the art would recognize that clogging may occur when dispensing such spheres. Based on this

assertion, the Office Action concludes that one skilled the art would be motivated to try different frequencies during the cleaning step until the most effective clog break-up frequency is found. Id. at page 3, line 18 through page 4 line 1.

Applicants submit that the Office Action has mischaracterized the teachings of Pelc.

In contrast to the assertions in the Office Action, Pelc discloses choosing a frequency of the transducer 60 such that it coincides with a resonant frequency of the microdispenser 16. See col. 10, lines 28-48. Thus, the Office Action's assertion that one skilled the art would be motivated to try frequencies other than this resonant frequency until the most effective clog break-up frequency is found is simply not accurate.

Applicants further note that Pelc discloses that pulsing the piezoelectric transducer 60 at the disclosed frequencies causes the interior surfaces of the glass capillary 62 to vibrate vigorously, which has the effect of far more efficiently dislodging and eliminating matter adhering to microdispenser 16. Id. Thus, the Office Action's assertion that one skilled the art would be motivated to try frequencies other than the disclosed frequency is contrary to the explicit teachings in Pelc.

Moreover, Pelc discloses that the frequency is selected in such a way that a maximum vibration of the glass capillary 62 can be achieved. Id. Since this is only possible at a fixed frequency, Pelc fails to teach to vary the frequency of the vibrations during a cleaning step.


Accordingly, Applicants submit that Pelc fails to disclose or suggest claim 1. Thus, claim 1, as well as claims 3-9 that depend therefrom, are in condition for allowance. Reconsideration and withdrawal of the rejection to claims 1 and 3-9 are respectfully requested.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

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